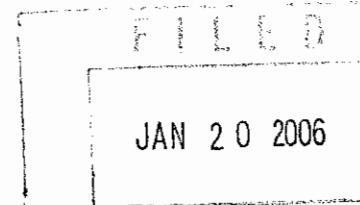


IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF DELAWARE

Ronald E. Proctor Jr.,
Petitioner,
v.

Thomas J. Carroll,
Warden
Respondent.

Civil Action No. 05-683-JJF



MOTION FOR VOLUNTARY DISMISSAL

Comes now Petitioner Ronald E. Proctor Jr. whose
in the above styled cause pursuant to Federal
Rules Civil Procedure's Rule 41(a)(1)(i) Dismissal
of the action based on the foregoing reasons:

1.) On 12-28-05 the Court ordered
Service upon Respondent and within 45 days
there of the Respondent is to file a response
to the petition.

2.) Petitioner's sentence expires on
February 17, 2006* thus the relief requested
cannot be accomplished by 2-17-06 and the
action would no longer be available to petitioner

Wherefore Petitioner would move the court
to dismiss * the above action.

DATED: 1-13-06

Respectfully Submitted


*SEE EXHIBIT A

**THE COURT CAN DISMISS COMPLAINT SINCE NO
ANSWER HAS BEEN FILED BY DEFENDANT

Ronald E. Proctor Jr.
1181 Paddock Rd
Somerset, NJ 08873
SOMERSET, NJ 08873
19927

Certificate of Service

I, Ronald E. Proctor Jr., hereby certify that I have served a true and correct cop(ies) of the attached: Dismissal _____ upon the following parties/person (s):

TO: Carl Damborg 539
Army Capital Dr
820 N French St
11th Flr
Wilm, DE 19801

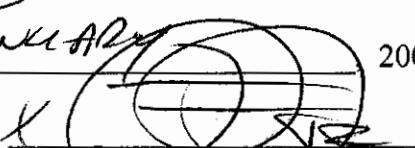
TO: _____

TO: _____

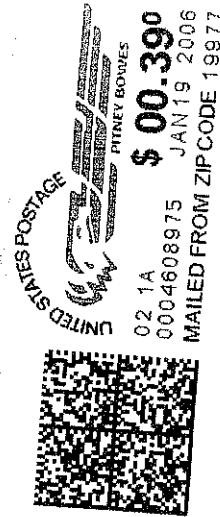
TO: _____

BY PLACING SAME IN A SEALED ENVELOPE and depositing same in the United States Mail at the Delaware Correctional Center, Smyrna, DE 19977.

On this 13 day of January 2006

X 
Ronald E. Proctor Jr.

I/M John Doe
SBI # 16305-A T 17445
DELAWARE CORRECTIONAL CENTER
1181 PADDOCK ROAD
SMYRNA, DELAWARE 19977



Check for
as of 1st Aug
840 King St Port Oct 18
John Doe
19801

to John Doe

19801